

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

BRANDON SMIETANA and )  
SKYCOIN GLOBAL FOUNDATION LIMITED, )  
a Singapore company, and SYMBOLIC )  
ANALYTICS INC. a Delaware Corporation )

Plaintiffs, )

v. )

BRADFORD STEPHENS, )  
AARON KUNSTMAN, )  
HARRISON GEVIRTZ, f/k/a “HaRRo”, )  
RYAN EAGLE, )  
FAR AHEAD MARKETING, LLC., )  
JOEL WAYNE CUTHRIELL f/k/a “JOEL”, )  
MORGEN PECK, CATHERINE BYERLY, )  
STEVEN LEONARD, JOSHUA OGLE, )  
AMERICAN PUBLISHERS, INC. d/b/a )  
CONDÉ NAST, AMERICAN )  
PUBLISHERS, INC. d/b/a CONDÉ NAST d/b/a )  
THE NEW YORKER MAGAZINE, and )  
UNKNOWN INDIVIDUALS AND COMPANIES )

Defendants. )

Case No. 1:22-cv-00708

Honorable Sara L. Ellis

**JURY DEMANDED**

**PLAINTIFFS’ UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO  
DEFENDANT BYERLY’S MOTION TO DISMISS**

NOW COME Plaintiffs, BRANDON SMIETANA (“Smietana”), SKYCOIN GLOBAL FOUNDATION LIMITED, a Singapore Company, and SYMBOLIC ANALYTICS, INC., a Delaware Corporation (“SA”), by and through their attorneys, The Law Office of Michael C. Goode, respectfully requesting that this Honorable Court grant Plaintiffs’ Unopposed Motion for Extension of Time to Extend Briefing Schedule, and in support Plaintiffs state as follows:

1. Defendants Ryan Eagle, Bradford Stephens, Catherine Byerly, and Far Ahead Marketing (“FAM”) individually filed respective Motions to Dismiss on October 18, 2022. (Dkt. Nos. 51, 52, 53, 54).
2. On December 13, 2022, Plaintiffs provided the above-mentioned Defendants, each, with five Requests to Admit and five Interrogatories limited to the issue of jurisdiction, as previously allowed by this Court.
3. The original purpose of the interrogatories and requests to admit were for Plaintiffs to adequately respond to Defendant Far Ahead Marketing and Catherine Byerly’s individual Motions to Dismiss for Lack of Personal Jurisdiction.
4. On January 9, 2023, this Court entered an Order directing all outstanding discovery regarding jurisdiction to be responded to by January 27, 2023, so that Plaintiffs could use the discovery to adequately respond to the Motions to Dismiss by February 10, 2023.
5. On January 26, 2023, Defendant Byerly’s counsel contacted Plaintiffs’ counsel indicating that Defendant Byerly was sick and requested until January 30, 2023, to respond to the limited personal jurisdiction discovery.
6. Plaintiffs did not object to the extension and offered Defendant Byerly’s counsel an additional few days, in addition to the request, if necessary to respond.
7. On January 20, 2023, Defendant Byerly’s counsel accepted the offer for a few additional days.

8. On February 6, 2023, still not having received Defendant Byerly's responses, Plaintiffs' counsel sent an email requesting a status on the responses. Defendant Byerly's counsel did not respond.
9. On February 8, 2023, still not having received Defendant Byerly's responses or a response from her counsel, Plaintiffs' counsel, again, sent an email requesting a status on the responses. Counsel for Plaintiffs also informed opposing counsel of their intention to file a motion for extension of time to respond to Defendant Byerly's Motion to Dismiss, due to not having received her jurisdiction discovery answers.
10. On February 8, 2023, Defendant Byerly's counsel responded to the email, indicating that the responses were out for signature and that they do not oppose Plaintiffs' Motion for Extension of Time.
11. On February 9, 2023, Plaintiffs' counsel contacted Defendant Byerly's counsel via email requesting a timeframe for which her answers would be provided to Plaintiffs, so that Plaintiffs could properly gauge an appropriate amount of time to ask this Court for an extension.
12. As of the date of this filing, Defendant Byerly has not submitted her answers to Plaintiffs' limited jurisdiction discovery.
13. Since the response to Defendant Byerly's Motions to Dismiss is dependent on the answers to the limited interrogatories and requests to admit for jurisdiction, Plaintiffs respectfully ask this Honorable Court to:
  - a. Grant a one-week extension of time for Plaintiffs to file their response to Defendant Byerly's Motion to Dismiss; and

- b. Set a new date for Defendants to file her reply.

DATED: February 10, 2023

Respectfully submitted,

/s/ Michael Goode  
Attorney for Plaintiffs

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